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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,278	01/22/2002	Hiroya Kumashio	217967US2	7574
22850	7590	10/21/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER DULANEY, BENJAMIN O				
ART UNIT		PAPER NUMBER		
2625				
NOTIFICATION DATE		DELIVERY MODE		
10/21/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com

oblonpat@oblon.com

jgardner@oblon.com

Office Action Summary

Application No.

10/051,278

Applicant(s)

KUMASHIO, HIROYA

Examiner

BENJAMIN O. DULANEY

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,4,5,7,9,11-13,18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,4,5,7,9,11-13,18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/003)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments, filed 6/18/08, with respect to the rejection(s) of claim(s) 2, 4, 5, 7, 9, 11-13, 18 and 19 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. patent 6,661,531 by Murphy et al.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 1) Claims 2, 4, 5, 7, 9, 11-13, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,134,568 by Tonkin, and further in view of U.S. patent 6,661,531 by Murphy et al.
- 2) Regarding claims 2, 4 and 11, Tonkin teaches a printing system (Figure 1) having at least one printer, comprising: a document supervisory client (Figure 1, item 31 or 32) configured to generate print condition settings (Figures 5A-5F; Column 7, line 11 – Column 8, line 53); and a document supervisory server (Figure 1, item 60) configured to control printing based upon a printing request from the document supervisory client in

accordance with the print condition settings (Column 13, lines 1-24; Column 13, line 52-Column 14, line 23); wherein said document supervisory client is configured to make a query to the document supervisory server via a network inquiring whether the print condition settings are permissible in a printer (Column 9, line 24 – Column 10, line 43), and said document supervisory server is further configured to return advisability of the print condition settings to the document supervisory client (Column 9, line 24 – Column 10, line 43), wherein said document supervisory server is configured to change a combination of the print condition settings (Column 9, line 24 – Column 10, line 22) and to send a permissible combination including one set of changed print condition settings to the document supervisory client upon determining that the print condition settings are impermissible (Column 9, line 24 – Column 10, line 43), and wherein said document supervisory client is configured to generate a user interface based on the one set of changed print condition settings (Figures 8A-9), and the combination of the print condition settings changed by said document supervisory server is a combination of a print condition settings that were set by the document supervisory client (Column 9, lines 24-37).

Tonkin does not specifically teach the document supervisory server is further configured to determine which of the print condition settings to change based on a priority order previously stored in the document supervisory server.

Murphy teaches the document supervisory server is further configured to determine which of the print condition settings to change based on a priority order previously stored in the document supervisory server (column 2, lines 33-40).

Tonkin and Murphy are combinable because they are both from the printing field of endeavor.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Tonkin and Murphy to add prioritizing print setting changes. The motivation for doing so would have been "for adaptively matching print quality and performance" (column 2, lines 9-10). Therefore it would have been obvious to combine Tonkin with Murphy to obtain the invention as specified by claim 2.

3) Regarding claims 5 and 12, Tonkin teaches the printing system according to claim 2, wherein said document supervisory server sends initial setting values with applicable character strings and graphs each representing print condition settings to the document supervisory client, and said document supervisory client generates a user interface configured to allow print condition settings based upon the setting values, character strings, and graphs (Column 13, lines 1-24; Column 9, line 24 – Column 10, line 43).

4) Regarding claim 7, Tonkin teaches the printing system according to claim 4, wherein said document supervisory server sends initial setting values with applicable character strings and graphs each representing print condition settings to the document supervisory client, and said document supervisory client generates a user interface configured to allow print condition settings based upon the setting values, character strings, and graphs (Column 13, lines 1-24; Column 9, line 24 – Column 10, line 43).

5) Regarding claims 9, 13, 18 and 19, Tonkin teaches the printing system according to claim 4, wherein, said document supervisory client is configured to send an ID which

uniquely identifies a document stored in a database in a document supervisory server (Column 6, line 51 – Column 7, line 27; Column 13, lines 26-64), and said document supervisory server obtains an applicable document corresponding to the ID and executes printing the applicable document in accordance with the print condition settings (Column 13, line 26 – Column 14, line 23).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BENJAMIN O. DULANEY** whose telephone number is

(571)272-2874. The examiner can normally be reached on Monday - Friday (10am - 6pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Benjamin O Dulaney/

Examiner, Art Unit 2625

/David K Moore/

Supervisory Patent Examiner, Art Unit 2625